



City Council Agenda

Council President
Henry Perea

Councilmembers

Tom Boyajian
Brian Calhoun
Brad Castillo

Jerry Duncan
Sal Quintero
Daniel Ronquillo, Acting President

Interim City Manager
Andrew T. Souza

City Clerk
Rebecca E. Klisch

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

TUESDAY, MARCH 13, 2001

IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON www.ci.fresno.ca.us. THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.

9:00 A.M. COUNCIL ROLL CALL

Invocation

Pledge of Allegiance to the Flag

Proclamation of "DEVELOPMENTAL DISABILITIES AWARENESS MONTH"

Proclamation of "OUTSTANDING FRESNO HIGH STUDENTS DAY" - Councilmember Boyajian

Presentation of Certificates of Commendation to Edison High School Tigers Academic Decathlon Team, Fresno County 2001 First Place Winners. Team members: Evan Klavon, Colleen Lewis, Amanda Lindsey, Jonathan Shintaku, Sukahampal Sidhu, Daniela Simunovic, Roger Wahl, August Wolf-Peterson, Emilee Woods and Coach Tracy Bryant - Acting President Ronquillo

Recognition of CARE Participants - Council President Perea

COUNCIL ACTION ON UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA. FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.

THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.

Approve Council minutes of March 6, 2001

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

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| TIME SCHEDULED HEARINGS AND MATTERS |
|--|

9:30 A.M. RECESS

9:45 A.M. Appearance by David Soghoian to discuss the opening of his gourmet kitchen trailer business in the downtown area

Action Taken:

9:50 A.M. Appearance by Gerald Moreno to discuss contrails being sprayed in the sky by military aircraft

Action Taken:

10:30 A.M. HEARING to consider Development Director's approval of Conditional Use Permit Application No. C-00-209 and environmental findings, filed by William Patnaude for J. Anthony Carr, for a proposed four-story mid-rise building for Fresno Heart Hospital, located on 6.46 acres at 40 E. River Park Place West **(Property located in District 6)**

Action Taken:

1. Consider and adopt the Negative Declaration for Environmental Assessment No. C-00-209, dated November 20, 2000

Action Taken:

2. **RESOLUTION** - Approving Conditional Use Permit Application No. C-00-209

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A.

GENERAL CONSENT CALENDAR

(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED IMMEDIATELY FOLLOWING THE CONSENT CALENDAR ADOPTION)

1. Approve appointment of Elisabet Espaillat Garcia to the Human Relations Commission (*For adoption*)
- Councilmember Castillo
Action Taken:
2. **RESOLUTION** - That Nixon-Egli Company be designated the sole source supplier of the Mobil Athey Model AV445 Sweeper without advertised competitive bidding under the sole source exception and authorizing the purchase of one (1) Mobil Athey Model AV445 Sweeper for the Fresno Yosemite International Airport (FYI) - Airports Department
Action Taken:
3. **RESOLUTION** - Approve a Professional Services Agreement with the Twining Laboratories, Inc. for inspection and testing for the Fresno Yosemite International Airport Terminal/Concourse Expansion Project under Federal Aviation Administration AIP Grant Nos. 3-06-0087-22, 24, 25, 28, 29, 31, 32 & 34 - Airports Department
Action Taken:
4. **RESOLUTION** - Dedicating certain City-owned property for public street purposes, property located on the north side of Nees Avenue west of Ingram Avenue - Public Works Dept/Engineering Division
Action Taken:
5. **RESOLUTION** - Dedicating certain City-owned property for public street purposes, property located at the intersection of Valentine and Marty Avenues north of Gettysburg Avenue - Public Works Dept/Engineering Division
Action Taken:
6. Award a contract for installation of 14" water main in E. McKinley from Maple to Sierra Vista Avenues - Dept. of Admin. Services/Purchasing Division
Action Taken:
7. Award a contract for traffic signal installation at Foxhill/Perrin and Perrin/Shepherd - Dept. of Admin. Services/Purchasing Division
Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. **GENERAL CONSENT CALENDAR CONTINUED**

8. Award a requirements contract for granular activated carbon vessels - Dept. of Admin. Services/Purchasing Division
Action Taken:
9. Award a contract for two (2) class 8 cab-over self loading dump trucks - Dept. of Admin. Services/Purchasing Division
Action Taken:
10. Award a requirements contract for traffic signal poles and streetlight poles - Dept. of Admin. Services/Purchasing Division
Action Taken:
11. Award a requirements contract for controllers and modules - Dept. of Admin. Services/Purchasing Division
Action Taken:
12. **RESOLUTION** - Approving an amendment to the agreement between the City of Fresno and the Poverello House to increase Emergency Shelter Grant (ESG) funding using unallocated funds - Dept. of Housing and Neighborhood Revitalization
Action Taken:
13. Approval of assignment of the April 21, 1993 Contel Site License Agreement to Crown Castle GT - Information Services Dept.
Action Taken:
14. **RESOLUTION** - Approving Final Map of Tract No. 4947 and accepting dedicated public uses therein, an 18-lot single-family residential subdivision on 4.1 acres, located on the northeast corner of N. Dante Avenue and N. Polk Avenue - Development Dept.
Action Taken:
15. **RESOLUTION** - Authorizing the application for extension of the City of Fresno Enterprise Zone designation and authorizing City Manager to submit such application to the State of California Technology, Trade and Commerce Agency and consider and adopt the Negative Declaration for Environmental Assessment No. 01-07 dated February 20, 2001- City Manager's Office
Action Taken:

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16. * **RESOLUTION** - 380th amendment to MFS Resolution No. 80-420 to amend the hourly rates for contracted law enforcement services - Police Department
Action Taken:
17. Authorize the Chief of Police to renew an agreement with the Housing Authority to receive \$145,000 to continue to evict narcotics from the public housing program - Police Department
Action Taken:
- a. * **RESOLUTION** - 109th amendment to AAR No. 2000-183 appropriating \$45,000 of ENPH Grant Funds to cover the cost of adding a Senior Community Services Officer (**Requires 5 affirmative votes**)
Action Taken:
- b. * **RESOLUTION** - 17th amendment to PAR Resolution No. 2000-184 to add a Senior Community Services Officer to the Police Department
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18. Authorize the Chief to add one (1) sworn position to the Police Department as a replacement for the Fresno Police Officers Association (FPOA) President
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- a. * **RESOLUTION** - 18th amendment to PAR No. 2000-184 to hire a sworn position as a replacement for the FPOA President
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19. * **RESOLUTION** - 15th amendment to the Salary Resolution No. 2000-186 amending Section 2, Subsection G(3), and Exhibit 4 to reflect the adoption of the Memorandum of Understanding (MOU) between the City of Fresno and the Fresno Police Officers Association (FPOA) - Dept. of Admin. Services - Human Resources Division
Action Taken:
20. Approval of a request for Conflict of Interest waiver for Marcus Magness of the Law Firm of Thomas & Snell - City Attorney
Action Taken:

1B. **CONSENT CALENDAR - BILL FOR INTRODUCTION - PINK TABS**

1. * **BILL** - (*For introduction*) Amending Section 8-205 of the Fresno Municipal Code relating to public nudity - City Attorney
Action Taken:

1C. **CONSENT CALENDAR - BILL FOR ADOPTION - BLUE TABS**

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

2. **PLANNING AND ZONING ADMINISTRATION**

3. **GENERAL ADMINISTRATION**

4. **CITY ATTORNEY**

A. **CLOSED SESSION**

1. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -**

Government Code Section 54956.9, Subdivision (b)

Significant Exposure to Litigation:

a. **Case Name:** Bakman Water Company, et al. v. City of Fresno, et al. City of Fresno v. U.S. Army Corps of Engineers and the Boeing Company, et al.; and Claim of Albert Herrera

b. **Case Name:** City of Fresno v. County of Fresno, City of Clovis and LAFCO
Action Taken:

2. **CONFERENCE WITH LABOR NEGOTIATOR - Government Code Section 54957.6**

City Negotiator(s): Jorge Aguiniga, Andrew T. Souza and Matthew Gargiulo

Employee Organization(s):

a. City of Fresno Management Employees Association (CFMEA)

b. City of Fresno Professional Employees Association (CFPEA)

c. Fresno Police Officers Association - Police Management (FPOA)

d. International Brotherhood of Electrical Workers, Local 100 (IBEW)

e. Stationary Engineers, Local 39 (Local 39)

Action Taken:

5. **CITY COUNCIL**

A. Direct staff to track and prepare a report to Council on extra City costs incurred relating to the current energy crisis - Councilmember Duncan

Action Taken:

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

5.

CITY COUNCIL CONTINUED

- B. Direct City Attorney to research the drafting of an ordinance restricting the number of permits for service stations and convenience stores within the City of Fresno. Said ordinance would prohibit service stations, convenience stores, or a combination of both to be in operation on all four corners of any intersection - Councilmember Quintero

Action Taken:

1. Set guidelines pertaining to the number of either type of operation to be allowed within a specified geographic zone

Action Taken:

- C. Request update from staff relating to the Pacific Bell and PG&E undergrounding of utilities along the Ventura/Kings Canyon Corridor- Councilmember Quintero

Action Taken:

- D. Direct City Manager to direct staff to prepare a Request For Proposal (RFP) to retain a firm to conduct a study of parking needs of the City, County and State - Acting President Ronquillo and Councilmember Duncan

Action Taken:

6.

CITY/COUNTY INTERGOVERNMENTAL RELATIONS

7.

UNSCHEDULED ORAL COMMUNICATIONS

- You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

SCHEDULED COUNCIL HEARINGS AND MATTERS

- Mar. 20 - 8:30 A.M. JOINT RDA/COUNCIL MEETING** relating to the consideration of the repurchase of property option in the DDA for the Bus Barn located at 701 "L" Street
- Mar. 20 - 10:00 A.M.** Adopt Weed Abatement Plan
- Mar. 20 - 10:15 A.M. HEARING** re: P.A. Appl. No. A-00-20, Rezone Appl. No. R-00-40 and CUP Appl. No. C-00-222, filed by Joel Hensley on behalf of Liberty Christian Fellowship
- Mar. 20 - 10:30 A.M. CONTINUED HEARING** to consider a resolution of public use and necessity for acquisition of easements on six (6) properties at the intersection of Shaw and Blackstone Avenues
- Mar. 20 - 10:45 A.M.** Presentation by Alan S. Perry, Director of Veteran's Administrative Hospital on feasibility of establishing a California Veterans Home in Fresno - Councilmember Quintero
- Mar. 20 - 11:15 A.M. WORKSHOP** - the Convergent Group will present their findings regarding GIS and E Government opportunities to better integrate and leverage information technology investments across departments
- Mar. 27 - 8:30 A.M. CONTINUED COUNCIL/RDA JOINT HEARING** regarding proposed OPA and DDA betw. RDA and Lonzell and LaVera Williams, property located at northeasterly corner of Fresno and "A" Streets
- Mar. 27 - 10:00 A.M. HEARING** to review the Fresno City Planning Commission's action on Conditional Use Permit Application No. C-00-246 filed by Ahmad Lari to authorize the operation of a used car lot on the northwest corner of W. Shaw Avenue and Freeway 99 - Councilmember Calhoun
- Mar. 27 - 10:45 A.M. CONTINUED HEARING** re: Rezone Appl. No. R-00-46, filed by National Farm Workers Service Center, Inc.
- Mar. 27 - 4:00 P.M.** Presentation by Harlan Kelly to discuss Dan's Green Recycling, Yaweh Recycling & Weaver Recycling and discuss M-1 zoning being changed to conform with GNRA and the industrial park
- Mar. 27 - 4:45 P.M.** Consider adoption of daytime curfew ordinance (Bill No. B-14)
- Apr. 3 - 10:00 A.M. HEARING** re: Rezone Appl. No. R-00-45, filed by Consolidated Industries, Inc., property located at the southeast corner of E. Perrin and N. Sommerville
- Apr. 10 - NO MEETING - EASTER WEEK**
- Apr. 24 - 10:00 A.M. HEARING** re: vacation of the C-99 alley between Stanislaus and Tuolumne - R.I. 1021-D
- Apr. 24 - 10:15 A.M. HEARING** re Community Facilities District No. 2, Annexation No. 27
- Apr. 24 - 10:30 A.M.** Presentation of Employee Service Awards (*Reception immediately following*)

****ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

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Approve Council minutes of March 6, 2001

Action Taken:

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A.

CLOSED SESSION

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CITY COUNCIL CONTINUED

- B. Direct City Attorney to research the drafting of an ordinance restricting the number of permits for service stations and convenience stores within the City of Fresno. Said ordinance would prohibit service stations, convenience stores, or a combination of both to be in operation on all four corners of any intersection - Councilmember Quintero

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 1021-D

Apr. 24 - 10:15 A.M. **HEARING** re Community Facilities District No. 2, Annexation No. 27

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